IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESAY, THE EIGHTY DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 20935 of 2001

Between:

S.V.Sudesh Kumar S/o.M.S.Venkatachalam
R/o.H.NO.18-1-91/20,Yasodanagar,K.T.Road,Tirupathi Chittoor District

..... PETITIONER

AND

1 The Registrar (Administration)
High Court of A.P Hyderabad
2 The District & Sessions Judge
Chittoor District Chittoor
3 Mr.N.Lakshmikantha Reddy S/o.Sivarami Redddy
Door No.1-586,Karnala Street Kattamanchi
Chittoor
4 G.Harikrishna S/o.G.Ramaiah Pillai
Door No.19-9-7B2 Tiruchanur Road
Tirupathi Chittoor District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Certiorari or any other appropriate Writ, direction, or order or orders calling for the records relating to the appointment of 3rd and 4th Respondents to hold the post of Junior Assistant-cum-Typist in 6th and 7th Add1. District Sessions Juges Court, Chittoor and to examine the legality and eligibility in appointing these two Respondents and quash their appointment made in vide L.D is No.150-A/2001 dtd.21-04-2001 by the 2nd Respondent; and to pass such order or further orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.M.P.CHANDRAMOULI

Counsel for the Respondent No.1 &2 : SMT.M.BHASKARA LAKSHMI

Counsel for the Respondent No.3: Mr.P.Rama Bhoopal Reddy

Counsel for the Respondent No.4: Mr.Chethuru Srinivas

The Court made the following :

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O R D E R:

(per the Hon'ble Sri Devinder Gupta, the Chief Justice)

The petitioner questioned the action of respondents 1 and 2 in appointing respondents 3 and 4 to hold the post of Junior Assistant-cum-Typist in 6th and 7th Additional Sessions Judges' Court, Chittoor,

respectively with a prayer to quash their appointments and issue directions for considering the case of the petitioner for temporary appointment.

The writ petition is opposed by the 2nd respondent G.Bhavani Prasad, the then District Judge, Chittoor stating that the appointments in the Fast Tract Courts were made in accordance with Rule 9 of the A. P. State and Subordinate Service Rules, 1996, to which A. P. Judicial Ministerial Service Rules are not applicable and the post in Fast Tract court is not Typist post, but of a Junior Assistant-cum-Typist. The term of two contract employees appointed in the Fast Tract Courts has expired and the same was extended.

The petitioner's representation was also considered by the High Court on administrative side along with remarks of the District Judge. The High Court directed that the petitioner's case may be considered in future vacancies, if any, in the said court.

Beyond this relief, which is granted to the petitioner by the High Court, no other relief can be granted in this petition, when appointment has been made to Fast Tract Court, to which A. P. Judicial Ministerial Service Rules are not applicable. Accordingly writ petition is dismissed.

We are informed that the petitioner has already applied to the District Judge for considering his candidature in terms of the order of the High Court passed on administrative side, for considering his name in future vacancy since one vacancy has occurred. In case such an application was made, same will be duly considered in accordance with law.

In the circumstances of the case, there shall be no order as to costs.

DATE:08.12.2004

AVS/TVR ----------

DEVINDER GUPTA, CJ

M.NARAYANA REDDY, J

SD/-

Assistant Registrar.

To

1 The Registrar (Administration)
High Court of A.P Hyderabad
2 The District & Sessions Judge
Chittoor District Chittoor
3. Two C.D. copies.